

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

**CIVIL MOTION HEARING**

Kelli Jo Torres,

Plaintiff,

v.

Dallas Hamm, Shelley Douty, Rock County Sheriff  
Evan Verbrugge, and Rock County,

Defendants.

**COURT MINUTES**

BEFORE: Elizabeth Cowan Wright  
U.S. Magistrate Judge, Zoom Hearing

Civil Case No.:	20-cv-1092 DSD/ECW
Date:	April 16, 2021
Court Reporter:	Carla Bebault
Time Commenced:	1:05 p.m.
Time Concluded:	2:11 p.m.
Time in Court:	1 hour and 6 minutes

**APPEARANCES:**

For Plaintiff: Ian Bratlie, Clare Diegel, and Teresa Nelson

For Defendants: Joe Flynn

**Plaintiff Kelli Jo Torres's Motion to Compel (Dkt. 21) is GRANTED IN PART and otherwise TAKEN UNDER ADVISEMENT** for the reasons stated on the record at the hearing, and **IT IS ORDERED THAT:**

1. The Motion is **TAKEN UNDER ADVISEMENT** with respect to the psychological evaluations, Rock County Attorney criminal case file, and emails withheld based on a privilege at issue, as follows:
  - a. Counsel for Defendants shall investigate whether the entirety of the Rock County Attorney criminal case file at issue has been produced, including but not limited to whether there was any reply to an email from the public defender to the prosecutor regarding omnibus issues.
  - b. Counsel for Defendants shall investigate whether documents related to a contact between Plaintiff and Defendant Hamm in June 2020 exist and have been produced.
  - c. Counsel for Defendants shall investigate whether the preemployment psychological records of Defendant Hamm are in Defendant Rock County's possession.
  - d. Counsel for Defendants shall file a letter with the Court stating the results of the investigations in paragraphs 1.a.-c. on or before April 23, 2021.
  - e. Counsel for Defendants shall submit, by email to chambers, the emails withheld based on a privilege for an *in camera* review, as well as a revised privilege log, on or before April 23, 2021. The revised privilege log shall also be served on Plaintiff's counsel on that date.
  - f. The Motion shall be thereafter taken under advisement with respect to the issues raised regarding Document Request No. 4 to Defendant Hamm, Request No. 4 to Defendant Douty, Request No. 9 to Defendant Rock County, Request No. 11 to Defendant Rock County, Request No. 15 to Defendant Rock County, Request No. 6 to Defendant Hamm, Request No. 6 to Defendant Douty, and Defendants' privilege log.

2. The Motion is **GRANTED** insofar as Defendants shall supplement their discovery responses, consistent with the Court's oral order, to Interrogatory No. 8 to Defendant Hamm, Interrogatory No. 8 to Defendant Douty, Interrogatory No. 6 to Defendant Verbrugge, Interrogatory No. 6 to Defendant Rock County, and Interrogatory No. 12 to Defendant Rock County on or before **May 7, 2021**.

**Plaintiff Kelli Jo Torres's Motion to Compel (Dkt. 37) is DENIED without prejudice** for failure to comply with D. Minn. LR 7.1(a) and 7.1(b) and with the Pretrial Scheduling Order's requirement of an informal conference with the Court before moving for an order relating to discovery (Dkt. 15 at 5).

☒ ORDER TO BE ISSUED      ☐ NO ORDER TO BE ISSUED      ☐ R&R TO BE ISSUED      ☒ NO R&R TO BE ISSUED  
☐ Exhibits retained by the Court      ☐ Exhibits returned to counsel

s/EMCS  
Law Clerk